

DATE: April 7, 2015
TO: Honorable Mayor & City Council
FROM: Doug Bender, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of April 6, 2015

**AGENDA ITEM NO. 6A - PUBLIC HEARING
ZONING CASE 2015-04
APPLICANT: WATER TOWER PARK, LP**

Request for a Specific Use Permit for Mini-Warehouse/Public Storage on 5.5± acres located on the north side of Plano Parkway, 1,750± feet west of Custer Road. Zoned Planned Development-376-Retail/General Office/190 Tollway/Plano Parkway Overlay District. Tabled March 16, 2015.

APPROVED: 6-1 **DENIED:** _____ **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 0 **OPPOSE:** 3

LETTERS RECEIVED OUTSIDE 200 FOOT NOTICE AREA: **SUPPORT:** 1 **OPPOSE:** 1

PETITION(S) RECEIVED: N/A **# OF SIGNATURES:** N/A

STIPULATIONS:

The Commissioner voting in opposition stated concerns regarding landscape screening on the western property boundary.

Recommended for approval with the following stipulation:

The landscape edge shall consist of trees, shrubs, groundcover, berms, and related elements. A minimum of one three-inch caliper shade tree and one three-inch caliper ornamental tree (7-foot planted height) shall be placed per 25 feet of frontage exclusive of driveways.

FOR CITY COUNCIL MEETING OF: April 27, 2015 (To view the agenda for this meeting, see www.planotx.gov)

PUBLIC HEARING - ORDINANCE

RA/dr

xc: Michael Hope, Water Tower Park, LP
Walter Nelson, Walter Nelson & Associates

<http://goo.gl/maps/JV4wM>

CITY OF PLANO
PLANNING & ZONING COMMISSION

April 6, 2015

Agenda Item No. 6A

Public Hearing: Zoning Case 2015-04

Applicant: Water Tower Park, LP

DESCRIPTION:

Request for a Specific Use Permit for Mini-Warehouse/Public Storage on 5.5± acres located on the north side of Plano Parkway, 1,750± feet west of Custer Road. Zoned Planned Development-376-Retail/General Office/190 Tollway/Plano Parkway Overlay District. Tabled March 16, 2015.

REMARKS:

This item was tabled at the March 16, 2015 Planning & Zoning Commission meeting. It must be removed from the table.

The applicant is requesting a Specific Use Permit (SUP) for Mini-Warehouse/Public Storage. The Zoning Ordinance defines mini-warehouse/public storage as a building(s) containing separate, individual, self-storage units of 500 square feet or less for rent or lease. The conduct of sales, business, or any activity other than storage shall be prohibited within any individual storage unit. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established.

The subject property is zoned Planned Development-376-Retail/General Office (PD-376-R/O-2). The R district is primarily intended to provide areas for neighborhood, local, and regional shopping facilities for the retail sales of goods and services including convenience stores, shopping centers, and regional malls but not including wholesaling and warehousing. The O-2 district is intended to allow for a variety of low-, mid-, and high-rise office developments providing for professional, financial, medical, and similar services to local residents; corporate offices for regional and national operations; and major centers of employment for Plano and surrounding communities. A PD district provides the ability to amend use, height, setback, and other development standards at the time of zoning to promote innovative design and better development controls to both off and onsite conditions.

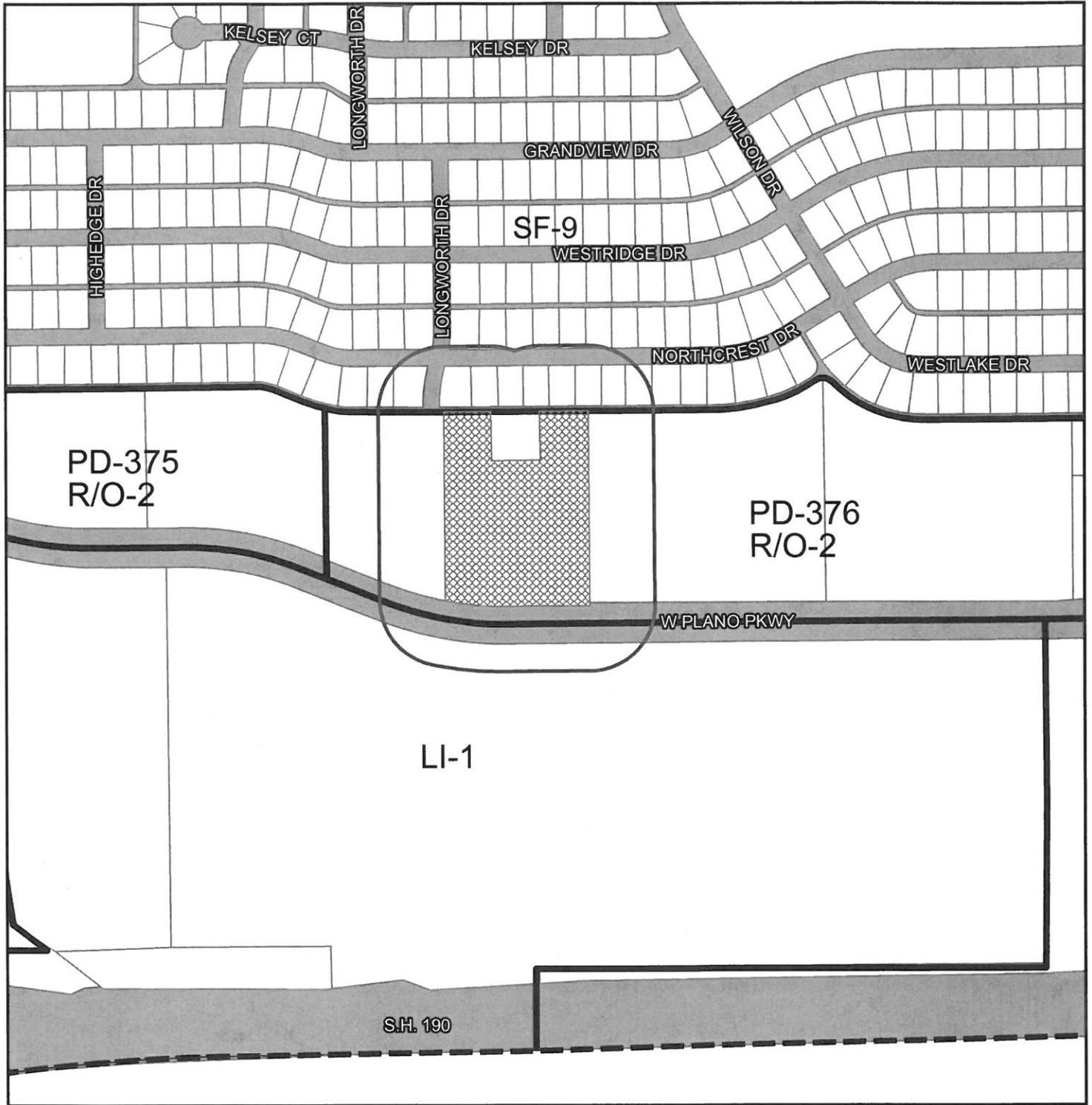
A preliminary site plan, Custer/190 Addition, Block A, Lot 5 accompanies this request as Agenda Item 6B.

The area of the request is currently undeveloped. The properties to the east and west are also zoned PD-376-R/O-2 and are developed as a general office and a long-term care facility, respectively. To the north is an existing residential development zoned Single-Family Residence-9, and an elevated water storage tower zoned PD-376-R/O-2. To the south, across Plano Parkway, is a research and development center zoned Light Industrial-1.

Mini-warehouse/public storage is permitted with approval of a SUP in the R zoning district. The subject property is an infill site located between an office building, a long-term care facility and a city water tower. Mini-warehouse uses are appropriate for certain R zoned properties as they provide a service to surrounding neighborhoods and businesses. This property is adjacent to residences, but the existing zoning requires a 50-foot setback from the residential subdivision. The site is also oddly configured due to the location of the existing water tower, which may make it less attractive for potential office development. For these reasons, staff believes the subject property is appropriate for mini-warehouse/public storage and believes the SUP would have minimal impact on adjacent residences.

RECOMMENDATION:

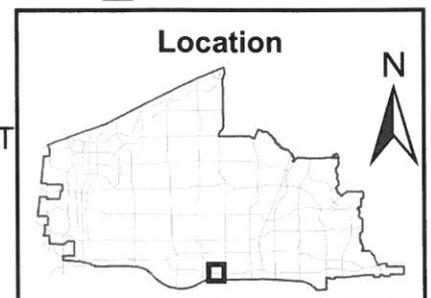
Recommended for approval as submitted.



Zoning Case #: 2015-04

Existing Zoning: PLANNED DEVELOPMENT-376-
 RETAIL/GENERAL OFFICE/
 190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT

- 200' Notification Buffer
- ▨ Subject Property
- Zoning Boundary
- - - City Limits
- - - Specific Use Permit
- Right-of-Way



Source: City of Plano Planning Department

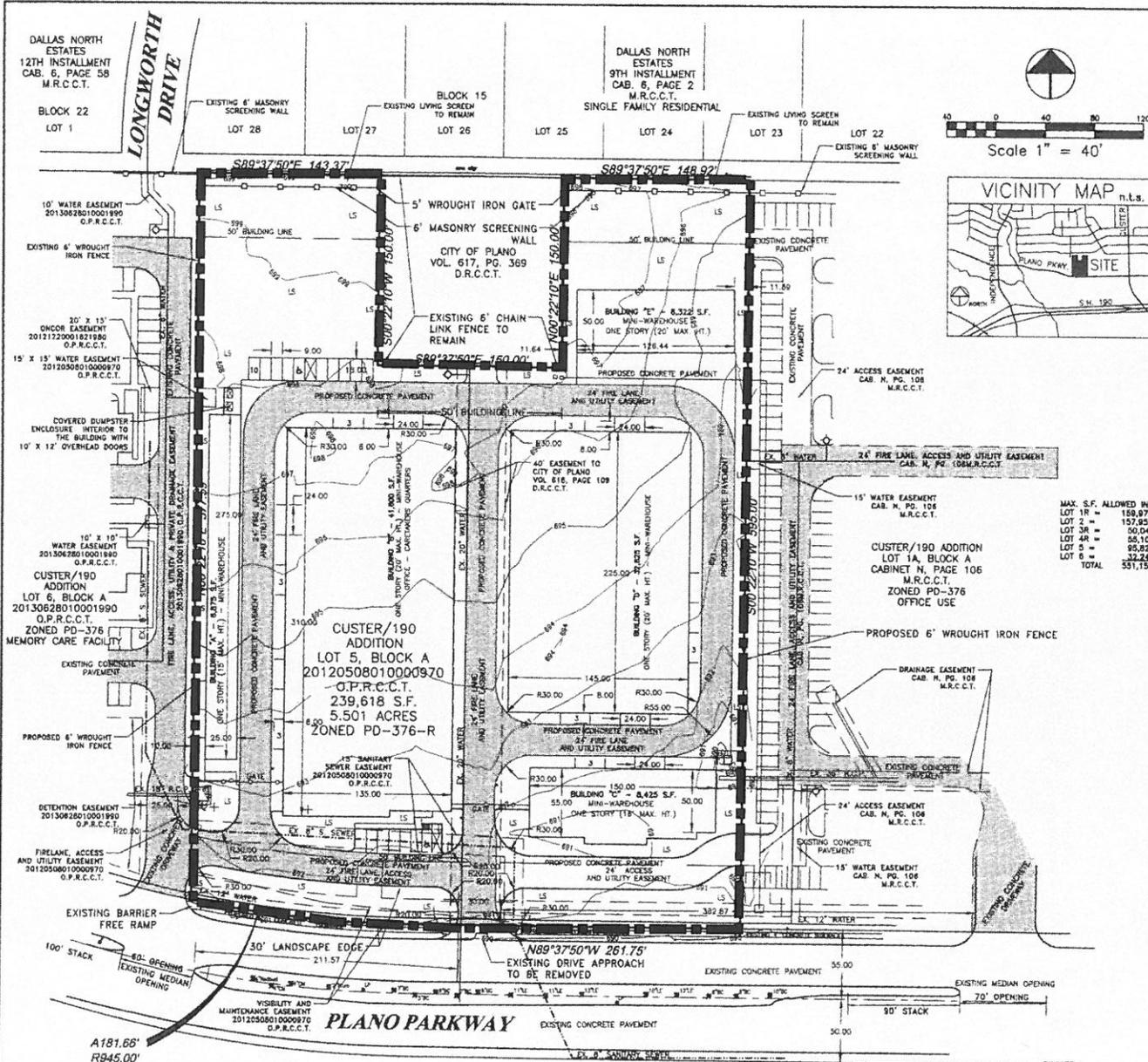


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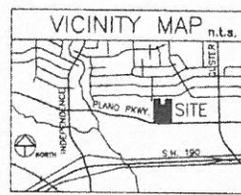
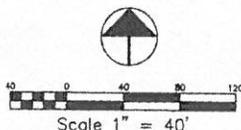
Source: City of Plano, Planning Dept.
Date: April, 2015

Zoning Case 2015-04



Site Data Summary Table

General Site Data	
Zoning (from zoning map)	PD-376 R/O-7
Land Use (from zoning ordinance)	MAN-WAREHOUSE
Lot Area (square feet & acres)	239,618 S.F. - 5.501 ACRES
Building Footprint Area (square feet)	95,847 S.F.
Total Building Area (square feet)	95,847 S.F.
Building Height (# of stories)	ONE STORY
Building Height (feet - distance to tallest building element)	20'
Lot Coverage (percent - x/xx)	40.00%
Floor Area Ratio (ratio - x/x-1)	0.40:1
Parking	
Parking Ratio (from zoning ordinance)	1 per 20 Storage Units
Required Parking (# of spaces)	36 spaces
Provided Parking (# of spaces)	38 spaces
Accessible Parking Required (# of spaces)	2 spaces
Accessible Parking Provided (# of spaces)	2 spaces
Parking in Excess of 110% of Required Parking (# of spaces)	0
Landscape Area (including turf areas)	53,927 S.F.
Landscape Edge Area Provided (square feet)	12,511 S.F.
Required interior landscape area (parking lot landscaping) (square feet)	312 S.F.
Additional interior landscape area provided (square feet)	2,180 S.F.
Other Landscape Area within the lot including Storm Water Conservation Areas (square feet)	0
Total Landscape Area (square feet)	66,960 S.F.
Permeable Area (not including landscaping or turf areas)	0
Permeable Pavement (square feet)	0
Other Permeable Area within the lot not including landscaping or turf areas (square feet)	0
Total Permeable Area (square feet)	0
Impervious Area	
Building Footprint Area (square feet)	95,847 S.F.
Area of Sidewalk, Pavement & other impervious Flatwork (square feet)	74,811 S.F.
Other Impervious Area	170,658 S.F.
Total Impervious Area	239,618 S.F.
Sum of Total Landscape Area + Total Permeable Area + Total Impervious Area	239,618 S.F.
Area of Sidewalk, Pavement & other Impervious Area	170,658 S.F.
Less BMP Impervious Area Credit	0
Billable Impervious Area	170,658 S.F.



- GENERAL NOTES:
- BUILDINGS 8,000 SQUARE FEET OR GREATER SHALL BE 100% FIRE SPRINKLED.
 - FIRE LANES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARDS.
 - HANDICAPPED PARKING AREAS SHALL BE DESIGNED AND PROVIDED PER CITY STANDARDS AND SHALL COMPLY WITH REQUIREMENTS OF THE CURRENTLY ADOPTED INTERNATIONAL BUILDING CODE.
 - FOUR-FOOT WIDE SIDEWALKS SHALL BE PROVIDED 2.5 FEET OFF OF THE PROPERTY LINE WITHIN THE RIGHTS OF WAY, UNLESS A SIDEWALK EASEMENT IS PROVIDED FOR A WEARDING SIDEWALK OR AN ALTERNATIVE DESIGN IS APPROVED BY THE CITY. BARRIER FREE RAMPS PER CITY STANDARDS, SHALL BE PROVIDED ON SIDEWALKS AT ALL CURB CROSSINGS.
 - MECHANICAL UNITS, DUMPSTERS AND TRASH COMPACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
 - ALL SIGNAGE CONTINGENT UPON APPROVAL BY BUILDING INSPECTION DEPARTMENT.
 - APPROVAL OF THE SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED.
 - OPEN STORAGE, WHERE PERMITTED, SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
 - BUILDING FACADES WITHIN THIS DEVELOPMENT SHALL BE COMPATIBLE, AS PROVIDED IN THE RETAIL CORNER DESIGN GUIDELINES.
 - OUTDOOR LIGHTING SHALL COMPLY WITH ILLUMINATION STANDARDS WITHIN SECTION 6-488 OF THE CODE OF ORDINANCES.
 - PLEASE CONTACT THE BUILDING INSPECTION DEPARTMENT TO DETERMINE THE TYPE OF CONSTRUCTION AND OCCUPANCY GROUP.
 - ALL ELECTRICAL TRANSMISSION, DISTRIBUTION, AND SERVICE LINES MUST BE UNDERGROUND WHERE REQUIRED.
 - USES SHALL CONFORM IN OPERATION LOCATION, A NO CONSTRUCTION TO THE FOLLOWING PERFORMANCE STANDARDS IN SECTION 3-1300 OF THE ZONING ORDINANCE: NOISE, SHOCK AND PARTICULATE MATTER, ODOROUS MATTER, FIRE OR EXPLOSIVE MATERIAL, TOXIC AND NOXIOUS MATTER, VIBRATION AND / OR OTHER PERFORMANCE STANDARDS.

MAX. S.F. ALLOWED IN PD = 747,707 S.F.

LOT 1R =	159,977 S.F.
LOT 2 =	157,957 S.F.
LOT 3B =	50,040 S.F.
LOT 4R =	55,102 S.F.
LOT 5 =	95,825 S.F.
LOT 6 =	32,248 S.F.
TOTAL	551,150 S.F.



PRELIMINARY SITE PLAN
CUSTER/190 ADDITION
LOT 5, BLOCK A
CONTAINING 5.501 ACRES OF LAND
IN THE CITY OF PLANO,
COLLIN COUNTY, TEXAS
OUT OF THE
L.M. MARSHALL SURVEY, ABSTRACT NO. 595
MARCH 27, 2015

OWNER:
 WATER TOWER PARK, L.P.
 Attn: MICHAEL HOPE, MANAGER
 P.O. Box 427
 ADDISSON, TX 75001
 972-239-1324

LEGEND
 HB Hackberry
 CW Crepe Myrtle
 LE Lacebark Elm
 BC Bald Cypress
 LS Landscape Area

ATLANTIC RICHFIELD SUBDIVISION
 LOT 1, BLOCK A
 CABINET 6, PAGE 516
 M.R.C.C.T.
 ZONED LI-1

A181.66'
 R945.00'
 D11'00'50"
 BN84'07'21"W
 C181.38'

Zoning Case 2015-04

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 659 so as to allow the additional use of Mini-Warehouse/Public Storage on 5.5± acres of land out of the L.M. Marshall Survey, Abstract No. 595, located on the north side of Plano Parkway, 1,750± feet west of Custer Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-376-Retail/General Office; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 27th day of April, 2015, for the purpose of considering granting Specific Use Permit No. 659 for the additional use of Mini-Warehouse/Public Storage on 5.5± acres of land out of the L.M. Marshall Survey, Abstract No. 595, located on the north side of Plano Parkway, 1,750± feet west of Custer Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-376-Retail/General Office; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 27th day of April, 2015; and

WHEREAS, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 659 for the additional use of Mini-Warehouse/Public Storage on 5.5± acres of land out of the L.M. Marshall Survey, Abstract No. 595, located on the north side of Plano Parkway, 1,750± feet west of Custer Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-376-Retail/General Office, would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

WHEREAS, the City Council is of the opinion and finds that such change will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 659 for the additional use of Mini-Warehouse/Public Storage on 5.5± acres of land out of the L.M. Marshall Survey, Abstract No. 595, located on the north side of Plano Parkway, 1,750± feet west of Custer Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-376-Retail/General Office, said property being more fully described on the legal description in Exhibit "A" attached hereto.

Section II. The change granted in Section I is granted subject to the landscape edge consisting of trees, shrubs, groundcover, berms, and related elements. A minimum of one three-inch caliper shade tree and one three-inch caliper ornamental tree (7-foot planted height) shall be placed per 25 feet of frontage exclusive of driveways.

Section III. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section IV. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section V. The repeal of any ordinance or part of ordinances affected by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of

any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 27TH DAY OF APRIL, 2015.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Zoning Case 2015-04

BEING a tract of land situated in the L.M. Marshall Survey, Abstract No. 595. City of Plano, Collin County, Texas and being all of Lot 5, Block A, Custer/190 Addition, an addition to the City of Plano, Texas, according to the plat recorded in Instrument Number 20120508010000970 of the Official Public Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a railroad spike found in the north right-of-way line of Plano Parkway (a variable width right-of-way) at the southeast corner of said Lot 5, Block A, said point being the southwest corner of Lot 1A, Block A, Custer/190 Addition, an addition to the City of Plano, Texas according to the plat recorded in Cabinet N, Page 106 of the Map Records of Collin County, Texas;

THENCE with said north right-of-way line the following courses and distances;

North $89^{\circ}37'50''$ West, a distance of 261.75 feet to a 5/8-inch iron rod found at the beginning of a curve to the right having a central angle of $11^{\circ}00'50''$, a radius of 945.00 feet, a chord bearing and distance of North $84^{\circ}07'21''$ West, 181.38 feet;

In a northwesterly direction with said curve to the right an arc distance of 181.66 feet to a 5/8-inch iron rod with "KHA" cap found for corner;

THENCE departing said north right-of-way line, North $00^{\circ}22'10''$ East, a distance of 577.59 feet to a 5/8-inch iron rod with "KHA" cap found for corner in the south right-of-way line of a 15' alley;

THENCE with said south right-of-way line, South $89^{\circ}37'50''$ East, a distance of 143.37 feet to a 5/8-inch iron rod found for the northwest corner of a tract of land described in deed to the City of Plano recorded in Volume 617, Page 369 of the Deed Records of Collin County, Texas;

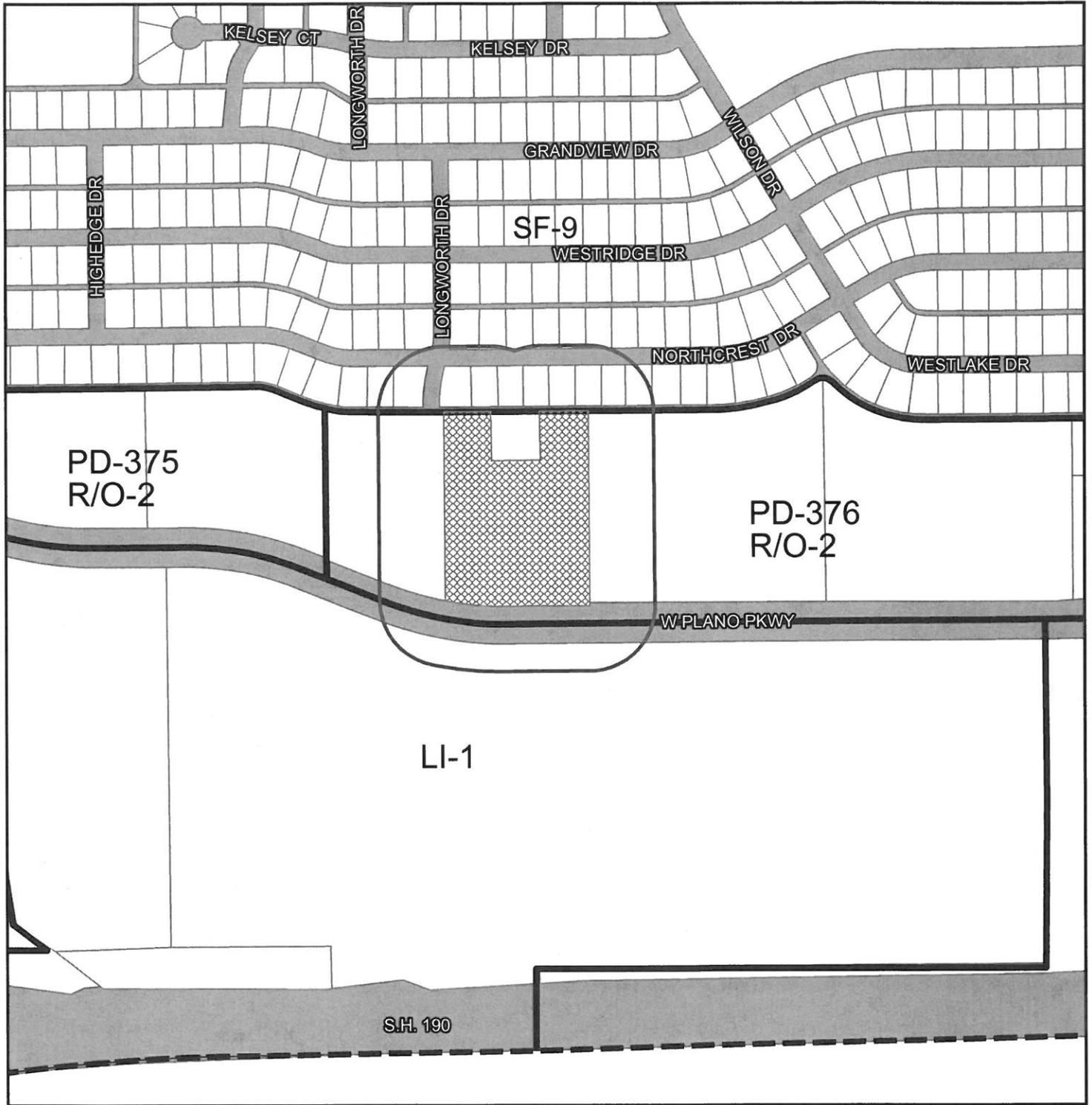
THENCE departing said south right-of-way line and with the west line of said City of Plano tract, South $00^{\circ}22'10''$ West, a distance of 150.00 feet to a 5/8-inch iron rod found for corner;

THENCE with the south line of said City of Plano tract, South $89^{\circ}37'50''$ East, a distance of 150.00 feet to a 5/8-inch iron rod found for corner;

THENCE with the east line of said City of Plano tract, North $00^{\circ}22'10''$ East, a distance of 150.00 feet to a 5/8-inch iron rod found for corner in the said south right-of-way line to the 15' alley;

THENCE with the said south right-of-way line, South $89^{\circ}37'50''$ East, a distance of 148.92 feet to a railroad spike found for the northeast corner of said Lot 5 and the northwest corner of said Lot 1A;

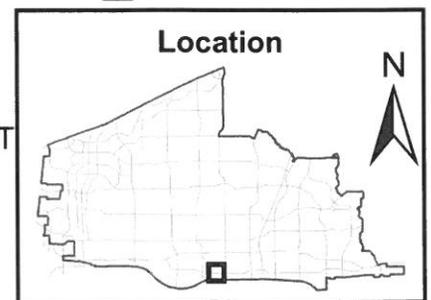
THENCE departing said south right-of-way line and with the west line of said Lot 1A, South $00^{\circ}22'10''$ West, a distance of 595.00 feet to the POINT OF BEGINNING and CONTAINING 5.501 acres or 239,618 square feet of land.



Zoning Case #: 2015-04

Existing Zoning: PLANNED DEVELOPMENT-376-
 RETAIL/GENERAL OFFICE/
 190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT

- 200' Notification Buffer
- ▨ Subject Property
- Zoning Boundary
- - - City Limits
- - - Specific Use Permit
- Right-of-Way



Source: City of Plano Planning Department

